IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

THURSDAY, THE 15TH FEBRUARY 2007 / 26TH MAGHA 1928

WP(C).No. 3715 of 2007(P)

OS.953/1999 of PRL.M.C.,ERNAKULAM
.....

PETITIONER: PETITIONER

EBY KUNJUMON, S/O. KUNJUMON,
EBI HOUSE, NETHAJI ROAD, PADIVATTOM KARA,
EDAPPALLY SOUTH, ERNAKULAM.

BY ADV. SRI.M.P.KRISHNAN NAIR
SRI.V.B.NARAYANAN

RESPONDENTS: RESPONDENTS
---

1. STATE OF KERALA, REP. BY
SECRETARY TO THE MINISTRY OF
HOME DEPARTMENT, GOVERNMENT OF KERALA,
THIRUVANANTHAPURAM.

2. SUB INSPECTOR OF POLICE,
PALARIVATTOM POLICE STATION,
KOCHI.

3. SATHI @ SATHIDEVI, AGED 50,
W/O. LATE GOKULAN, THEKKUMTHALA HOUSE,
RESIDING AT MENON PARAMBU,
PADIVATTOM KARA, EDAPPALLY SOUTH,
KANAYANNUR TALUK, ERNAKULAM DISTRICT.

4. UDAYAKUMAR, S/O. LATE GOKULAN,
THEKKUMTHALA HOUSE, RESIDING AT
MENON PARAMBU, PADIVATTOM KARA,
EDAPPALLY SOUTH, KANAYANNUR TALUK,
ERNAKULAM DISTRICT.

5. NARAYANANKUTTY, S/O. LATE GOKULAN,
THEKKUMTHALA HOUSE, RESIDING AT MENON PARAMBU,
PADIVATTOM KARA, EDAPPALLY SOUTH,
KANAYANNUR TALUK, ERNAKULAM DISTRICT.

6. AJAYAKUMAR, S/O. LATE GOKULAN,
THEKKUMTHALA HOUSE, RESIDING AT MENON PARAMBU,
PADIVATTOM KARA, EDAPPALLY SOUTH,
KANAYANNUR TALUK, ERNAKULAM DISTRICT.

7. PRADEEP KUMAR, S/O. LATE GOKULAN,
THEKKUMTHALA HOUSE, RESIDING AT MENON PARAMBU,
PADIVATTOM KARA, EDAPPALLY SOUTH,
KANAYANNUR TALUK, ERNAKULAM DISTRICT.

8. MANOJKUMAR, S/O. LATE GOKULAN,
THEKKUMTHALA HOUSE, RESIDING AT MENON PARAMBU,
PADIVATTOM KARA, EDAPPALLY SOUTH,
KANAYANNUR TALUK, ERNAKULAM DISTRICT.

9. RAJESHKUMAR, S/O. LATE GOKULAN,
THEKKUMTHALA HOUSE, RESIDING AT MENON PARAMBU,
PADIVATTOM KARA, EDAPPALLY SOUTH,
KANAYANNUR TALUK, ERNAKULAM DISTRICT.

10. PARVATHI, W/O. LATE RAMAN,
RESIDING AT PADINJAREKADIPARAMBIL,
PADIVATTOM KARA, EDAPPALLY SOUTH VILLAGE,
KANAYANNUR TALUK.

11. SAMBASIVAN, S/O. LATE RAMAN,
RESIDING AT PADINJAREKADIPARAMBIL,
PADIVATTOM KARA, EDAPPALLY SOUTH VILLAGE,
KANAYANNUR TALUK.

12. RANJAN, S/O. LATE RAMAN,
RESIDING AT PADINJAREKADIPARAMBIL,
PADIVATTOM KARA, EDAPPALLY SOUTH VILLAGE,
KANAYANNUR TALUK.

13. JYOTHI, S/O. LATE RAMAN,
RESIDING AT PADINJAREKADIPARAMBIL,
PADIVATTOM KARA, EDAPPALLY SOUTH VILLAGE,
KANAYANNUR TALUK.

14. SURYAKANTH, S/O. LATE RAMAN,
RESIDING AT PADINJAREKADIPARAMBIL,
PADIVATTOM KARA, EDAPPALLY SOUTH VILLAGE,
KANAYANNUR TALUK.

15. MINI, D/O. LATE RAMAN,
RESIDING AT PADINJAREKADIPARAMBIL,
PADIVATTOM KARA, EDAPPALLY SOUTH VILLAGE,
KANAYANNUR TALUK.

16. CORPORATION OF KOCHI,
KOCHI.

R1 & R2 BY G.P. SHRI P.A. SALIM
R16 BY ADV. SRI.K.ANAND, SC, COCHIN CORPN.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 15/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

J.B. Koshy & T.R. Ramachandran Nair, JJ.

- -

W.P.(C).NO.3715 of 2007-P

- -

Dated this the 15th day of February, 2007

JUDGMENT

Koshy, J.

This is a petition for police protection. The contesting respondents submitted that civil dispute is pending between the parties. This Court, in a petition under Article 226 of the Constitution of India, cannot decide the title, possession, etc. If the petitioner has a right to construct the building, he can approach the civil Court and get appropriate orders. Therefore, without expressing any opinion regarding the civil dispute, we direct the police to see that law and order is maintained and life of the parties are not endangered.

The writ petition is disposed of as above.

(J.B. Koshy, Judge.)

(T.R. Ramachandran Nair, Judge.)

kav/